

Russell Davis (SBN 177959)
PACIFIC JUSTICE INSTITUTE
29 Lakewood Ave.
San Francisco, CA 94127
Tel. (415) 310-6575
rdavis@pji.org

Attorney for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

SELINA KEENE, MELODY FOUNTILA, MARK) Case No.: 4:22-cv-01587-JSW
MCCLURE,)

Plaintiffs,

) **DECLARATION OF RUSSELL DAVIS**
) **RE: DISCOVERY OF ESI**

v.)
)
)

CITY AND COUNTY OF SAN FRANCISCO;
LONDON BREED, Mayor of San Francisco in her
official capacity; CAROL ISEN Human Resources
Director, City and County of San Francisco, in her
official capacity; DOES 1-100,

Defendants.)
)
)

DECLARATION OF RUSSELL DAVIS RE: DISCOVERY OF ESI

1 Russell Davis declares:

2 1. I am the attorney of record for the Plaintiffs herein. I have personal knowledge of the
3 facts in this matter and if called to testify regarding them I would and could do so competently.

4 2. On May 30, 2023, defendant CCSF emailed me a copy of a proposed stipulation re: ESI
5 discovery. I had just returned from vacation [Docket 56] and had to respond to many other
6 matters.

7 3. I did not feel comfortable with the wording of CCSF's stipulation, as I felt it would
8 unnecessarily restrict Plaintiffs' discovery. Not being well versed with ESI, I consulted with other
9 members of my firm regarding an appropriate stipulation. They suggested I use the Idaho form,
10 which does contain other discovery matters.

11 4. After opposing counsel objected, I decided to make matters as simple as I could and
12 used the Northern District's model form re: ESI, which I have filed concurrently in Pacer. I
13 informed opposing counsel that we could always redo the form and agree on the scope of ESI.

14 Dated: June 13, 2023

15 /s/ Russell Davis
16 Russell Davis
17 PACIFIC JUSTICE INSTITUTE

18 *Attorney for Plaintiffs*
19
20
21
22
23
24
25
26
27